

ARTICLE 2

STATE OF THE TOWN ADDRESS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Chair of the Board of Selectmen address Town Meeting under this article to review important events of the past year and preview expectations for the upcoming year.

**A true copy of the vote under
Article 2 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 3

REPORTS OF COMMITTEES

**A true copy of the vote under
Article 3 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 4 APPOINTMENT OF MEASURERS OF WOOD AND BARK

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That John A. FitzMaurice, 17 Lakeview, be and hereby is appointed Measurer of Wood and Bark until the next Annual Town Meeting.

**A true copy of the vote under
Article 4 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 5

ELECTION OF ASSISTANT TOWN MODERATOR

VOTED: (QUORUM PRESENT)

An election for the position of Assistant Moderator for a term of one year as provided in Title I, Article 1, §11A of the Bylaws was conducted by ballot.

The ballots were tallied by the Town Clerk, Moderator and Assistant Town Clerk and the results were:

William Logan	66
James M. O'Connor	<u>109</u>

TOTAL	<u>175</u>
--------------	-------------------

Mr. O'Connor was declared elected.

A true copy of the vote under Article 5 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held April 28, 2010.

ATTEST:

Town Clerk

ARTICLE 6

**ZONING BYLAW AMENDMENT/VARIANCE
APPLICATION REVIEW**

VOTED: (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 6 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 7

ZONING BYLAW AMENDMENT/BRACKET SIGNS

**VOTED: (STANDING VOTE – 162 IN THE AFFIRMATIVE AND 21 IN THE
NEGATIVE) (QUORUM PRESENT)**

That the Town vote to amend Article 2 of the Zoning Bylaw to add a definition for bracket signs after Sign, Awning, as follows, “Sign, Bracket:

A sign mounted perpendicular to the building by means of a bracket, the design of which is meant to be decorative and integral to the sign’s design, below which hangs the sign in a manner to withstand public or property damage from wind”, and in Article 7, section 7.04k, after the words “from a building face” to add the words, “and with the further exception of bracket signs in the B3 and B5 zoning districts”, and in Article 7, to add a new subsection after 7.073 as follows “7.073a Signs Permitted in Any B3 and B5 district One sign permitted by Sections 7.06 and 7.073 may be a bracket sign meeting the following dimensional requirements: a) no less than 8 feet clearance from ground level to bottom of the sign, b) no more than 15 feet high from ground level to top of the sign, c) the square footage of the sign shall be no larger than 12 sq feet or the number of feet equal to half the façade length of the establishment on which the sign hangs, whichever is less, and d) the sign shall project no more than 50 inches from the face of the building. The area of the sign shall be calculated based on its maximum height and width. Bracket signs shall not be hung over a vehicular way, shall not extend above the building, and shall not extend beyond the curb line.”

**A true copy of the vote under
Article 7 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 8

**ZONING BYLAW AMENDMENT/RESEARCH
AND DEVELOPMENT DEFINITION**

**VOTED: (STANDING VOTE – 178 IN THE AFFIRMATIVE AND 5 IN THE
NEGATIVE) (QUORUM PRESENT)**

That the Town vote to amend the Zoning Bylaw in Article 2, by inserting after the definition for “Repair” the words “Research and Development Activities: Establishments used primarily for research, development and/or testing of innovative information, concepts, methods, processes, materials, or products. This can include but not be limited to renewable or alternative energy research and development activities including the design, development, and testing of biological, chemical, electrical, magnetic, mechanical, and/or optical components in advance of product manufacturing. The accessory development, fabrication, and light manufacturing of prototypes, or specialized machinery and devices integral to research or testing may be associated with these uses.”

**A true copy of the vote under
Article 8 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2010.**

ATTEST:

Town Clerk

**ARTICLE 9 ZONING BYLAW/ALLOW GROUND-MOUNTED SOLAR
PHOTOVOLTAIC**

**VOTED: (UNANIMOUSLY – MORE THAN 85 TOWN MEETING
MEMBERS PRESENT AND VOTING)**

That the Town vote to amend the Zoning Bylaw in Article 2 by inserting after the definition for “Gross Floor Area” the words, “Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and does not exceed twenty feet in height” and by inserting in Section 5.04 Table of Use Regulations a new section 5.12 and the words “Ground-Mounted Solar Photovoltaic Installation” under the Principal Use columns and the word “Yes” under the “I” column.

**A true copy of the vote under
Article 9 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 10 ZONING BYLAW AMENDMENT/FENCING USED AS SCREENING

**VOTED: (STANDING VOTE – 142 IN THE AFFIRMATIVE AND 10 IN THE
 NEGATIVE) (QUORUM PRESENT)**

That the Town amend the Zoning Bylaw in Article 6 Section 16 by inserting in the fourth sentence after the words “A solid wall or” the words “solid wooden” and by adding the following sentence at the end of Article 6 Section 16 “Where deemed appropriate by the property owner and immediate abutters, and as approved by the building inspector, another wall or fence height or fence type, including but not limited to coated chain link or “wrought iron” types may be substituted for the required wall or fence.” and by further amending Zoning Bylaw Article 8 Section 12 b. (1) by inserting in the first sentence after the words “a solid wall or” the words “solid wooden” and by adding the following sentence at the end of Article 8 Section 12 b. (1) “Where deemed appropriate by the property owner and immediate abutters, and as approved by the building inspector, another wall or fence height or fence type, including but not limited to coated chain link or “wrought iron” types may be substituted for the required wall or fence.”

**A true copy of the vote under
Article 10 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 11 ZONING BYLAW AMENDMENT/ILLUMINATION FOR SIGNS

**VOTED: (STANDING VOTE – 159 IN THE AFFIRMATIVE AND 2 IN THE
NEGATIVE) (QUORUM PRESENT)**

- (1) That the April 26, 2010, vote of Town Meeting under Article 11 be rescinded in its entirety; and**
- (2) That the Town vote to amend the Zoning Bylaw in Article 7 Section 3e by inserting the word “and” between the words “interior” and “nonexposed” and between the words “exterior” and “shielded” and between the words “stationary” and “of reasonable” and by adding at the end of Article 7 section 3e a comma and the words “except that interior illumination is prohibited for bracket signs. Signs fabricated with letters, numbers, designs, or images consisting of a visible light source emitted from the face of the sign, including, but not limited to, incandescent and fluorescent bulbs, LED price signs, LED and digital displays, and neon tubes, are prohibited.”**

**A true copy of the vote under
Article 11 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
May 24, 2010.**

ATTEST:

Town Clerk

ARTICLE 12 ZONING BYLAW AMENDMENT/ZONING BOARD OF APPEALS

**VOTED: (STANDING VOTE – 147 IN THE AFFIRMATIVE AND 4 IN THE
NEGATIVE) (QUORUM PRESENT)**

That the Town vote to amend the Zoning Bylaw in Article 10 Section 10 by changing the word “three” in the first sentence to the word “five” and to change the numeral 3 in the first sentence to the numeral 5.

**A true copy of the vote under
Article 12 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 13

RESOLUTION/MEDICAL OFFICE BUILDING SYMMES

VOTED: (QUORUM PRESENT)

That the following resolution be and hereby is adopted:

**“RESOLUTION OF 2010 ANNUAL TOWN MEETING
REGARDING USE OF FORMER SYMMES HOSPITAL SITE**

WHEREAS, It has been the policy of the Town of Arlington to maintain and expand medical services at the site of the former Symmes Hospital; and

WHEREAS, The Arlington Redevelopment Board (ARB) has codified this policy in the Land Disposition Agreements it has signed with the original and subsequent developers of the site; and

WHEREAS, After diligent efforts, the site developers have been unable to locate a buyer or tenant for a medical office building; and

WHEREAS, An independent appraisal of the site conducted on behalf of the ARB concluded that a medical office building at the site would not be profitable; and

WHEREAS, Developers of various medically-related services have expressed interest in the Symmes site; and

WHEREAS, It is in the financial interest of the Town to proceed with the development of the entire Symmes site; and

WHEREAS, At the 2004 Special Town Meeting, the ARB committed that it would allow only a medical office building at the site unless a future Town Meeting gave approval for alternative uses.

NOW, THEREFORE, BE IT RESOLVED THAT: It is the sense of Town Meeting that, in addition to a medical office building, uses may be allowed at the Symmes site in the best financial interest of the town, consistent with the Zoning Bylaw.

**A true copy of the vote under
Article 13 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 14

LOCAL ACCEPTANCE/STRETCH ENERGY CODE

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

That the Town does hereby adopt the provisions of 780 C.M.R. 120.AA (the so-called “Stretch Energy Code”), including any subsequent amendments or modifications thereto, such adoption to be effective January 1, 2011.

**A true copy of the vote under
Article 14 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 28, 2010.**

ATTEST:

Town Clerk

ARTICLE 15

BYLAW AMENDMENT/NUISANCE FIRE ALARMS

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

That Title VI of the Town Bylaws be and hereby is amended by adding the following new Section 3 to Article 2 (“Fire Prevention Code”):

Section 3. Nuisance Fire Alarms

A. Definitions.

“Malicious Fire Alarm Activation” shall mean any intentional manual activation of any fire alarm system by someone without a reasonable belief that a fire or other emergency situation requires assistance.

“Nuisance Fire Alarm Activation” shall mean any activation of an automatic fire alarm system caused by (i) mechanical failure or malfunction; (ii) improper installation; (iii) insufficient or improper maintenance, including failure to disable alarm system before starting work; or (iv) improper use. “Nuisance Fire Alarm Activation” shall include recurrent or otherwise reasonably foreseeable Malicious Fire Alarm Activation that the Responsible Alarm User has failed to take reasonable steps to prevent.

“Responsible Alarm User” shall mean the owner, tenant, or manager of any commercial or residential property equipped with an automatic fire alarm system.

B. Penalties for Nuisance Fire Alarm Activation.

The following penalties shall be assessed on the Responsible Alarm User or Users for Nuisance Fire Alarm Activations occurring within one calendar year.

**First Occurrence: oral warning
Second Occurrence: oral or written warning
Third Occurrence: \$50
Fourth Occurrence: \$100
Fifth Occurrence: \$200
Sixth and Subsequent Occurrences: \$300**

A series of Nuisance Fire Alarm Activations occurring within 8 hours and attributable to the same cause or occurring under circumstances attributable to the same cause beyond the control of the Responsible Alarm User shall be considered one occurrence of a Nuisance Fire Alarm Activation.

Any third or subsequent occurrence may be treated as a second occurrence if, in the reasonable judgment of the Fire Chief or his designee, the totality of the circumstances warrant such treatment.

Any failure by the enforcing authority to issue a written warning for a second occurrence shall not bar the imposition of monetary penalties for a third or subsequent occurrence.

C. Exemptions. No fine shall be assessed and no warning shall be given for fire alarm activations attributable to the following causes: (i) an actual fire; (ii) smoke from a source such as burning food or overheating in a motor, electrical appliance, or other equipment; or (iii) activation of a manual pull station by someone with reasonable cause to believe such activation is warranted by an emergency situation.

D. Penalties for Malicious Fire Alarm Activation. A fine of \$300 shall be assessed for every instance of Malicious Fire Alarm Activation.

E. Enforcement. In addition to the enforcing authority set forth elsewhere in these Bylaws, the enforcing authority for this section shall be the Arlington Fire Chief or his designee. Enforcement of this section shall be through the non-criminal disposition procedure set forth in Section 21D of Chapter 40 of the General Laws or by criminal indictment or complaint under Section 21 of Chapter 40 of the General Laws. (5-0)

A true copy of the vote under
Article 15 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 28, 2010.

ATTEST:

Town Clerk

ARTICLE 16 BYLAW AMENDMENT/PUBLIC CONSUMPTION OF MARIHUANA

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

That Section 2 (“Violation and Penalties”) of Article 7 (“Public Consumption of Marihuana or Tetrahydrocannabinol”), of Title VIII of the Town Bylaws, be and hereby is amended by (a) deleting from the first sentence the words “up to”; and (b) adding to the end of the first sentence the words “or by non-criminal disposition under General Laws Chapter 40, Section 21D.”

**A true copy of the vote under
Article 16 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 28, 2010.**

ATTEST:

Town Clerk

ARTICLE 17

BYLAW AMENDMENT/DOOR-TO-DOOR SOLICITORS

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 17 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 28, 2010.**

ATTEST:

Town Clerk

ARTICLE 18

BYLAW AMENDMENT/JUNK DEALERS AND COLLECTORS

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

That Article 1 of Title VIII of the Town Bylaws be and hereby is amended by deleting Section 5 (“Junk Dealers and Collectors”) in its entirety and replacing it with the following new Section 5:

Section 5. Junk Dealers

- A. License Required.** The Board of Selectmen may license suitable persons to be Junk Dealers in accordance with Sections 54, 55, and 202 through 205 of Chapter 140 of the General Laws. No person may engage in the business of purchase, sale, or barter of junk, old metals, or second-hand articles within the Town without such a license. Any licensed person must comply with the requirements of this section, as well as with any policies or procedures issued by the Board of Selectmen and any specific conditions imposed on a license by the Board of Selectmen in accordance with Paragraph (G), below.
- B. Sign Required, Premises.** Every person engaged in the business of purchase, sale, or barter of junk, old metals, or second-hand articles, keeping a shop, shall maintain in a conspicuous place in the shop a sign with the name of the owner and occupation legibly inscribed thereon.
- C. Records.**
 - (i) Transaction Record.** Every dealer licensed under this section (hereinafter, “Licensed Dealer”) shall prepare a record (hereinafter, “Transaction Record”) of the acquisition of any article, good, or item subject to licensing hereunder, regardless of the manner of acquisition. Said record shall be dated and shall include:
 - (a)** The full name, current address, date of birth, and driver’s license number or government-issued identification number of the person selling or bartering the article, good, or item that is received by the Licensed Dealer (hereinafter “Seller”);

- (b) A full and accurate description of the article being received, including make, model, serial number(s), and any distinguishing marks or engravings;
- (c) The amount paid for the article or other terms of the receipt of the article;
- (d) The full name of the employee or other person receiving the article on behalf of the Licensed Dealer;
- (e) The number assigned to the transaction under Sub-Paragraph (iii), below;
- (f) A clear photograph of the article received by the Licensed Dealer;
- (g) A photocopy of the Seller's driver's license or other government-issued identification; and
- (h) The original signature of the Seller.

If the Chief of Police issues or approves a form to be used for Transaction Reports, that form shall be used by all Licensed Dealers.

- (ii) **Transmitting Records to Police Department.** Once per week and on the same day each week, every Licensed Dealer shall transmit to the Chief of Police or his designee copies of all Transaction Records reflecting receipt of any and all articles during the previous week. If no articles were received during the previous week, the Licensed Dealer shall so notify the Chief of Police or his designee in writing. These reports shall be transmitted electronically unless alternate arrangements are made with the Chief of Police or his designee.
- (iii) **Transaction Book.** Every Licensed Dealer shall maintain a bound book (hereinafter, "Transaction Book") with sequentially numbered pages in which all transactions shall be recorded with the information required by Paragraph (i)(a)-(e), above. Each transaction shall be assigned a number in sequential order, which number shall also be printed on or affixed to the article received in the transaction.

- (iv) **Maintaining Records, Inspection.** Every Licensed Dealer shall maintain all Transaction Records and Transaction Books on site for a period of at least three years from the date of the last transaction recorded. All Transaction Records and Transaction Books shall be open to inspection by the Chief of Police or his designee at any time.

D. Receipt of Items.

- (i) **From Minors, Prohibited.** No Licensed Dealer shall purchase, barter for, or otherwise acquire -- directly or indirectly -- any article from anyone under the age of 18.
- (ii) **Questionable Status, Reporting.** Any Licensed Dealer receiving any article under circumstances that would cause a reasonable person in the position of the Licensed Dealer to question whether the article might be stolen shall immediately report receipt of the article to the Chief of Police or his designee and shall immediately make the article available to the Police Department for inspection and identification.

E. Holding Period. No Licensed Dealer shall sell, barter, exchange, encumber, remove from the premises, or otherwise dispose of any article received under this section, or disguise, secrete, or alter the appearance of any such article until 30 days have elapsed since receipt of the article and until the Transaction Record detailing the article's receipt has been transmitted to the Chief of Police or his designee.

F. Inspections. The shop of any Licensed Dealer and its contents regulated under this section shall be open to inspection by the Chief of Police or his designee at any time the shop is open for business.

The Chief of Police or his designee may report any violation of this section to the Board of Selectmen and/or may issue a notice of violation and penalty to the Licensed Dealer, as provided below.

G. Enforcement. The following penalties shall apply to violations of this section and shall be enforceable through criminal indictment or complaint under Section 21 of Chapter 40 of the General Laws or by non-criminal disposition under Section 21D of Chapter 40 of the General Laws:

1 st offense in calendar year	\$100
2 nd offense in calendar year	\$200
3 rd and subsequent offense in calendar year	\$300

In addition, for one or more violations of this section over any period of time, the Board of Selectmen may revoke any license in accordance with Section 54 of Chapter 140 of the General Laws or may impose any other sanction up to revocation, including but not limited to written warning, probation, imposition of conditions, or suspension.

**A true copy of the vote under
Article 18 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 19

BYLAW AMENDMENT/REMOVAL OF PAINT

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

That Article 3 of Title VIII of the Town Bylaws be and hereby is amended by deleting in its entirety Section 5 (“Removal of Paint Regulated”) and replacing it with the following new Section 5:

Section 5. Removal of Paint Regulated

A permit is required for removal of paint by abrasive blasting, which shall include machine sanding, from any interior or exterior surface of any structure within the Town of Arlington. Such permits shall be granted in writing by the Board of Health only in accordance with the Town of Arlington Board of Health Rules and Regulations for Paint Removal. Violations of this section shall be punishable by a fine of \$50 for the first offense and \$200 for any subsequent offense. This section may be enforced by non-criminal disposition in accordance with G.L. c. 40, § 21D.

**A true copy of the vote under
Article 19 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 28, 2010.**

ATTEST:

Town Clerk

ARTICLE 20

PAY-AS-YOU-THROW TRASH COLLECTION PROGRAM

**VOTED: (STANDING VOTE – 98 IN THE AFFIRMATIVE AND 50 IN THE
NEGATIVE)**

That the Town Manager's report to Town Meeting be received and that Town Meeting consider implementation of a pay-as-you-throw program in conjunction with the next five-year plan and possible Proposition 2½ override.

**A true copy of the vote under
Article 20 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 10, 2010.**

ATTEST:

Town Clerk

ARTICLE 21

HOME RULE LEGISLATION/SENIOR CITIZEN SAFETY ZONES

**VOTED: (STANDING VOTE – 143 IN THE AFFIRMATIVE AND 14 IN THE
NEGATIVE) (QUORUM PRESENT)**

**That the Board of Selectmen be and hereby is authorized and requested to file home rule
legislation to provide substantially as follows:**

**“AN ACT AUTHORIZING THE TOWN OF ARLINGTON
TO ESTABLISH SENIOR CITIZEN SAFETY ZONES**

SECTION 1. Notwithstanding section 2 of chapter 85 of the General Laws or any other general or special law or regulation to the contrary, the Town of Arlington may establish by order or regulation, on public ways under the care and custody of the Town, senior citizen safety zones in areas adjacent to publicly or privately owned facilities used as senior citizen housing, nursing homes, assisted living facilities, community centers at which activities are conducted for senior citizens on a regular basis, or congregate elderly facilities within the Town of Arlington.

SECTION 2. In a senior citizen safety zone, the Town of Arlington may, by order or regulation under the direction of the Board of Selectmen, take necessary action to reduce vehicular speed by reducing speed limits to not less than 20 miles per hour, by installing signals or appropriate signs, and/or by re-striping roadways. The Board of Selectmen may adopt and amend rules and regulations to carry out this act.

SECTION 3. The Town of Arlington shall notify the state traffic engineer upon the establishment of a senior citizen safety zone. The Town shall notify the state traffic engineer of any reduction of speed on a functionally classified local roadway.

SECTION 4. This act shall not apply to any state highway, numbered route, or functionally classified arterial road.

SECTION 5. This act shall take effect upon its passage.”

**A true copy of the vote under
Article 21 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held April 28, 2010.**

ATTEST:

Town Clerk

ARTICLE 22

**HOME RULE LEGISLATION/ADDITIONAL LICENSES
FOR THE SALE OF ALCOHOLIC BEVERAGES NOT
TO BE DRUNK ON THE PREMISES**

VOTED: (QUORUM PRESENT)

Negative.

**A true copy of the vote under
Article 22 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 3, 2010.**

ATTEST:

Town Clerk

ARTICLE 23

HOME RULE LEGISLATION/NOELAN CORBETT

VOTED: (QUORUM PRESENT)

Negative.

**A true copy of the vote under
Article 23 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 3, 2010.**

ATTEST:

Town Clerk

ARTICLE 24

**HOME RULE LEGISLATION/TAX CHECK-OFF PROGRAM:
DONATION TO THE COUNCIL ON AGING**

VOTED: (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 24 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 12, 2010.**

ATTEST:

Town Clerk

ARTICLE 25 HOME RULE LEGISLATION/BANNING TEXTING WHILE DRIVING

VOTED: (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 25 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 3, 2010.**

ATTEST:

Town Clerk

**ARTICLE 26 HOME RULE LEGISLATION/DOUBLE POLE REGULATIONS
AND ENFORCEMENT**

VOTED: (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 26 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 3, 2010.**

ATTEST:

Town Clerk

ARTICLE 27 HOME RULE LEGISLATION/GROUP INSURANCE COMMISSION

**VOTED: (STANDING VOTE – 126 IN THE AFFIRMATIVE AND 37 IN THE
NEGATIVE) (QUORUM PRESENT)**

R E S O L U T I O N

Whereas, the Town of Arlington's operating budget is under great pressure from declining revenues and increases in fixed costs resulting in reductions to important services; and

Whereas, one of the major fixed cost increases that the Town of Arlington faces on an annual basis is the employee group health insurance account which for the past ten years has increased an average of 9.2% a year; and

Whereas, employee group insurance represented 9.6% of the fiscal year 2001 budget, and has risen to represent 16.8% of the proposed fiscal year 2011 budget; and

Whereas, the Federal Government plans to implement a luxury tax in 2018 on "Cadillac" health care plans that Arlington's current plans would be subject to, potentially costing the Town millions of dollars unless the plan costs are reduced; and

Whereas, the Town desires to provide quality health care plans to its employees at a cost that is fair and reasonable to both the employees and taxpayers; and

Whereas, there are options, such as the GIC, that will maintain the same quality health care coverage for town employees that, in the aggregate, will reduce costs for both the employees and the Town;

Now, therefore, be it resolved that:

Town Meeting urges in the strongest terms that the employee unions and Town Manager negotiate an agreement as expeditiously as possible that results in the Town opting into the State's Group Insurance Commission or agreeing to plan design changes to the Town's current menu of health insurance options that achieves cost savings similar to that of the Group Insurance Commission; and

Be it further resolved that:

If such agreement is not reached by Friday, September 24th, 2010, Town Meeting requests that the Board of Selectmen call a Special Town Meeting for the purpose of acting upon and approving the Home Rule Petition proposed in Article 27 of the 2010 Annual Town Meeting Warrant.

**A true copy of the vote under
Article 27 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 24, 2010.**

ATTEST:

Town Clerk

ARTICLE 28 ACCEPTANCE OF LEGISLATION/PENSION LIABILITY FUNDING

VOTED: (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 28 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 29

TRANSFER OF REAL ESTATE/CROSBY SCHOOL

**VOTED: (STANDING VOTE – 155 IN THE AFFIRMATIVE AND 6 IN THE
NEGATIVE) (QUORUM PRESENT)**

That the care, custody, management, and control of the former Crosby School and all appurtenant land be transferred to the Board of Selectmen for the purpose of managing the property, including but not limited to continuing or extending the current lease arrangement, while exploring options for the property's future use, provided that any and all appurtenant land currently in use for recreational purposes remain so while the property is under the control of the Board of Selectmen.

**A true copy of the vote under
Article 29 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 12, 2010.**

ATTEST:

Town Clerk

ARTICLE 30

TRANSFER OF REAL ESTATE/PARMENTER SCHOOL

**VOTED: (STANDING VOTE – 153 IN THE AFFIRMATIVE AND 4 IN THE
NEGATIVE) (QUORUM PRESENT)**

That the care, custody, management, and control of the former Parmenter School and all appurtenant land be transferred to the Board of Selectmen for the purpose of managing the property, including but not limited to continuing or extending the current lease arrangement, while exploring options for the property's future use, provided that any and all appurtenant land currently in use for recreational purposes remain so while the property is under the control of the Board of Selectmen.

**A true copy of the vote under
Article 30 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 12, 2010.**

ATTEST:

Town Clerk

ARTICLE 31

DISPOSITION OF REAL ESTATE/CROSBY SCHOOL

VOTED: (QUORUM PRESENT)

That the following RESOLUTION of the School Committee and the Board of Selectmen be and hereby is endorsed by Town Meeting:

**“RESOLUTION REGARDING
THE PARMENTER AND CROSBY SCHOOLS**

WHEREAS the Parmenter and Crosby Schools served as elementary schools for the students of Arlington for many decades; and

WHEREAS both schools were removed from service as public school buildings in 1983 and have since remained in a state of temporary surplus; and

WHEREAS these facilities host important educational services, but enjoy no current or prospective use as public school buildings; and

WHEREAS the School Committee has declared no further need for the Crosby and Parmenter Schools as institutions of public education; and

WHEREAS the voters of Arlington have approved debt exclusions for the purpose of renovating and/or rebuilding all seven existing elementary schools in town; and

WHEREAS the Massachusetts School Building Authority is currently undertaking a feasibility study of the Thompson School rebuild and/or renovation project; and

WHEREAS completion of the aforementioned feasibility study may lead to an offer of state financial assistance for the Thompson rebuild and/or renovation project; and

WHEREAS any state assistance will be conditioned upon a demonstration by the Town of Arlington of an ability and willingness to fund a share of project costs; and

WHEREAS revenues from the future sale and/or lease of the Crosby and Parmenter Schools have been identified as potential sources of funding that might be applied to the rebuild and/or renovation of the Thompson Elementary School; and

WHEREAS RKG Associates -- in conjunction with the Town Manager, Department of Planning and Community Development, and other public officials and private citizens -- has undertaken a comparative analysis of reuse scenarios for the Crosby and Parmenter Schools;

NOW THEREFORE BE IT RESOLVED that the 2010 Annual Town Meeting of the Town of Arlington does hereby recognize the valued educational services provided to the community by the longstanding institutional tenants of the Parmenter and Crosby Schools; and

BE IT FURTHER RESOLVED that the Town Meeting does express its support in principle for the application of future net revenues from the sale and/or lease of the Crosby and Parmenter Schools to the renovation and/or rebuild of the Thompson Elementary School and other Arlington Public Schools capital needs.”

**A true copy of the vote under
Article 31 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 12, 2010.**

ATTEST:

Town Clerk

ARTICLE 32

DISPOSITION OF REAL ESTATE/PARMENTER SCHOOL

VOTED: (QUORUM PRESENT)

That the following RESOLUTION of the School Committee and the Board of Selectmen be and hereby is endorsed by Town Meeting:

**“RESOLUTION REGARDING
THE PARMENTER AND CROSBY SCHOOLS**

WHEREAS the Parmenter and Crosby Schools served as elementary schools for the students of Arlington for many decades; and

WHEREAS both schools were removed from service as public school buildings in 1983 and have since remained in a state of temporary surplus; and

WHEREAS these facilities host important educational services, but enjoy no current or prospective use as public school buildings; and

WHEREAS the School Committee has declared no further need for the Crosby and Parmenter Schools as institutions of public education; and

WHEREAS the voters of Arlington have approved debt exclusions for the purpose of renovating and/or rebuilding all seven existing elementary schools in town; and

WHEREAS the Massachusetts School Building Authority is currently undertaking a feasibility study of the Thompson School rebuild and/or renovation project; and

WHEREAS completion of the aforementioned feasibility study may lead to an offer of state financial assistance for the Thompson rebuild and/or renovation project; and

WHEREAS any state assistance will be conditioned upon a demonstration by the Town of Arlington of an ability and willingness to fund a share of project costs; and

WHEREAS revenues from the future sale and/or lease of the Crosby and Parmenter Schools have been identified as potential sources of funding that might be applied to the rebuild and/or renovation of the Thompson Elementary School; and

WHEREAS RKG Associates -- in conjunction with the Town Manager, Department of Planning and Community Development, and other public officials and private citizens -- has undertaken a comparative analysis of reuse scenarios for the Crosby and Parmenter Schools;

NOW THEREFORE BE IT RESOLVED that the 2010 Annual Town Meeting of the Town of Arlington does hereby recognize the valued educational services provided to the community by the longstanding institutional tenants of the Parmenter and Crosby Schools; and

BE IT FURTHER RESOLVED that the Town Meeting does express its support in principle for the application of future net revenues from the sale and/or lease of the Crosby and Parmenter Schools to the renovation and/or rebuild of the Thompson Elementary School and other Arlington Public Schools capital needs.”

**A true copy of the vote under
Article 32 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 12, 2010.**

ATTEST:

Town Clerk

ARTICLE 33

**ACCEPTANCE OF LEGISLATION/CONSOLIDATION OF
TOWN AND SCHOOL ADMINISTRATIVE FUNCTIONS**

VOTED: (QUORUM PRESENT)

That the Town hereby accepts G.L. c. 71, § 37M, to allow consolidation of school and town administrative functions.

**A true copy of the vote under
Article 33 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 12, 2010.**

ATTEST:

Town Clerk

ARTICLE 34

**VOTE/CONSOLIDATION OF TOWN AND SCHOOL
ADMINISTRATIVE FUNCTIONS**

VOTED: (QUORUM PRESENT)

That the Town Manager and the Superintendent of Schools, in consultation with all other appointing authorities, study and make recommendations on the establishment of a Town wide Human Resources Department including any changes to Town bylaws. This should be done with the goal of establishing consistent personnel policies across all departments, standardizing the hiring process and increasing the efficiency and effectiveness of this critical function.

that the Town Manager and the Superintendent of Schools shall develop guidelines for the use of Town Counsel services by the School Department and shall investigate the use of joint labor counsel for collective bargaining.

that the Town Manager, one member of the Finance Committee appointed by the Chair and the Superintendent of Schools, in consultation with all other appointing authorities study the value and possible implementation of overhead budgeting involving the assignment of such costs as pensions and health insurance to service budgets.

that the Town Moderator, Town Treasurer, Town Manager, member of the Board of Selectmen and member of the Finance Committee study the creation of a 4 page Public Financial Information Packet to be distributed on an annual basis to as many of the citizens as possible and the proposed use of the Town web site for distribution of the Town Report.

**A true copy of the vote under
Article 34 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 12, 2010.**

ATTEST:

Town Clerk

**ARTICLE 35 BYLAW AMENDMENT/MUNICIPAL CONFLICT-OF-INTEREST
STANDARDS**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 35 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 3, 2010.**

ATTEST:

Town Clerk

ARTICLE 36

BYLAW AMENDMENT/CANINE CONTROL

**VOTED: (STANDING VOTE - 78 IN THE AFFIRMATIVE AND 70 IN THE
NEGATIVE) (QUORUM PRESENT)**

To amend Section 8 (“Animal Control”) of Article 1 (“Use of Areas under Control of Park Department”) of Title IV (“Public Areas”) of the By-Laws to add the following at the end thereof:

“Notwithstanding the foregoing, from park opening time until 9 am, a maximum of two dogs per handler may be off-leash, under effective owner control, in all lands under control of the Parks and Recreation Commission except:

- A. those lands directly contiguous to school properties;**
- B. within 15 feet of playground equipment;**
- C. by specific exclusion of the Parks and Recreation Commission.”**

And

To amend Section 2 (“Leashing of Dogs”) of Article 2 (“Canine Control”) of Title VIII (“Public Health and Safety”) of the By-Laws by adding a new subsection as follows:

“D. Notwithstanding the foregoing, from park opening time until 9 am, a maximum of two dogs per handler may be off-leash, under effective owner control, in all lands under control of the Parks and Recreation Commission except:

- 1. those lands directly contiguous to school properties;**
- 2. within 15 feet of playground equipment;**
- 3. by specific exclusion of the Parks and Recreation Commission.”**

**A true copy of the vote under
Article 36 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 12, 2010.**

ATTEST:

Town Clerk

ARTICLE 37

BYAW AMENDMENT/COMPENSATION OF SELECTMEN

VOTED: (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 37 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 38 BYLAW AMENDMENT/ELECTRONIC PEST CONTROL DEVICES

**VOTED: (STANDING VOTE – 102 IN THE AFFIRMATIVE AND 78 IN THE
NEGATIVE)**

**That Title V (“Regulations Upon the Use of Private Property”), Article 12
 (“Noise Abatement”), Section 3 (“Daytime Only Activities”), of the Town
 Bylaws, be and hereby is amended by inserting the following subsection C:**

- C. Bug Zappers. Operating or causing to be operated after 10 P.M. or before 7
 A.M. (8 A.M. on Saturday, Sunday, or a legal holiday) any electronic device
 for killing, trapping, or repelling insects or other pests if such device emits
 audible sound beyond the line of the property on which the device is located.**

**A true copy of the vote under
 Article 38 of the Warrant for the
 Annual Town Meeting of the
 Town of Arlington at the session
 held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 39 BYLAW AMENDMENT/TOWN MEETING WARRANT ARTICLES

VOTED: (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 39 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 40

BYLAW AMENDMENT/FIELD LIGHTS TIMING

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 40 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 41 BYLAW AMENDMENT/SOUND AMPLIFICATION SYSTEMS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 41 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 42

BYLAW AMENDMENT/FIELD CLOSING TIMES

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 42 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 43

BYLAW AMENDMENT/FIELD LIGHT CONFIGURATION

VOTED: (UNANIMOUSLY) (QUOOURUM PRESENT)

No Action.

**A true copy of the vote under
Article 43 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 44

BYLAW AMENDMENT/LIMIT NIGHT BASEBALL GAMES

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 44 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 45

REVOLVING FUNDS

VOTED: (AFFIRMATIVE) (QUOOURM PRESENT)

That the Town does hereby reauthorize the following Revolving Funds in accordance with G.L. c. 44, § 53E½:

Private Way Repair established under Article 46 of the 1992 Annual Town Meeting

Expenditures not to exceed \$200,000

Beginning Balance \$13,304.91

Receipts 0.00

Expenditures 0.00

Balance, 7/1/09 \$13,304.91

Public Way Repair established under Article 45 of the 1992 Annual Town Meeting

Expenditures not to exceed \$5,000

Beginning Balance \$1,559.21

Receipts 0.00

Expenditures 1,390.81

Balance, 7/1/09 \$ 168.40

Fox Library established under Article 49 of the 1996 Annual Town Meeting

Expenditures not to exceed \$20,000

Beginning Balance \$12,347.35

Receipts 4,510.00

Expenditures 2,616.00

Balance, 7/1/09 \$14,241.35

Robbins House established under Article 77 of the 1997 Annual Town Meeting

Expenditures not to exceed \$55,000

Beginning Balance \$ 627.16

Receipts 28,610.00

Expenditures 33,354.14

Balance, 7/1/09 (\$4,116.98)

Conservation Commission established under Article 44 of the 1996 Annual Town Meeting -expenditures not to exceed \$10,000

Beginning Balance	\$2,847.07
Receipts	0.00
Expenditures	0.00
Balance, 7/1/09	\$2,847.07

Uncle Sam established under Article 31 of the 2000 Annual Town Meeting

Expenditures not to exceed \$2,000

Beginning Balance	\$ 359.48
Receipts	0.00
Expenditures	25.00
Balance, 7/1/09	\$ 334.48

Life Support Services established under Article 37 of the 2001 Annual Town Meeting

Expenditures not to exceed \$600,000

Beginning Balance	\$ 264,069.35
Receipts	410,144.16
Expenditures	297,922.07
Balance, 7/1/09	\$ 376,291.44

Board of Health Fees established under Article 30 of the 2005 Annual Town Meeting

Expenditures not to exceed \$100,000

Beginning Balance	\$39,395.00
Receipts	45,515.23
Expenditures	39,804.09
Balance, 7/1/09	\$45,106.14

Field User Fees- Established under Article 78 2004 Annual Town Meeting

Expenditures not to exceed \$80,000

Beginning Balance	\$68,075.48
Receipts	24,786.25
Expenditures	39,997.03
Balance, 7/1/09	\$52,864.70

Robbins Library Rental – Established under Article 35 2006 Annual Town Meeting

Expenditures not to exceed \$8,000

Beginning Balance	\$ 817.61
Receipts	6,475.00
Expenditures	800.00
Balance, 7/1/09	\$6,492.61

Town Hall Rental – Established under Article 35 2006 Annual Town Meeting

Expenditures not to exceed \$75,000

Beginning Balance	\$ 5,076.87
Receipts	37,977.60
Expenditures	39,598.42
Balance, 7/1/09	\$ 3,456.05

White Goods Recycling – Established under Article 35 2006 Annual Town Meeting

Expenditures not to exceed \$80,000

Beginning Balance	\$29,045.06
Receipts	65,788.71
Expenditures	56,766.52
Balance, 7/1/09	\$38,067.25

Library Vend – Established under Article 34 2009 Annual Town Meeting

Expenditures not to exceed \$12,000

Beginning Balance	\$ 0.00
Receipts	0.00
Expenditures	0.00
Balance, 7/1/09	\$ 0.00

and that the Town further votes to establish in accordance with G.L. c. 44, § 53E½, the following additional Revolving fund:

A revolving fund (Gibbs School Energy Fund) to accept payments for energy costs from tenants of the Gibbs School, said sums to be expended in payment to utility companies for delivery of electricity and gas to the Gibbs School, said expenditures not to exceed \$100,000.

A true copy of the vote under Article 45 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 5, 2010.

ATTEST:

Town Clerk

ARTICLE 46

ENDORSEMENT OF CDBG APPLICATION

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

That the Town hereby endorses the application for Federal Fiscal Year 2011 prepared by the Town Manager and the Board of Selectmen under the Housing and Community Development Act of 1974 (PL 93-383) as amended.

**A true copy of the vote under
Article 46 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 47

COLLECTIVE BARGAINING

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

That the Town hereby ratifies the following financial items contained in Memorandum of Understanding between that collective bargaining unit represented and the Town acting by and through the Town Manager:

F. Arlington Ranking Police Officers Association (FY2009: \$54,354, FY2010: \$54,354 FY2011: \$54,354)

- 1. A 2½ percent general wage increase effective July 1, 2008.**
- 2. Other minor fringe benefits – accreditation stipend.**

and the Classification and Pay Plan is amended, and for this purpose, the sum of \$163,602 is hereby appropriated and transferred from prior collective bargaining appropriations made under Article 40 of the 2007 Annual Town Meeting and Article 51 of the 2008 Annual Town Meeting, to be expended under the direction of the Town Manager, for the purpose of funding the aforementioned Memorandum of Understanding.

A true copy of the vote under Article 47 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 5, 2010.

ATTEST:

Town Clerk

ARTICLE 48

FUNDING FUTURE COLLECTIVE BARGAINING

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 48 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 49

SALARY ADJUSTMENT/ELECTED OFFICIALS

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 49 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 50

POSITIONS RECLASSIFICATION

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

That the Classification Plan, as established by Title I, Article 6, Section 1, Schedule A of the By-Laws, be and hereby is amended as follows:

1. By reclassifying the following positions:

- | | | |
|---|-------|---------|
| A. Principal Account Clerk/Bookkeeper, OA3 to OA4
Department of Public Works | FTE 1 | |
| B. Principal Clerk and Bookkeeper, OA4 to OA5
Treasurer | FTE 1 | \$1,860 |
| C. Principal Clerk and Bookkeeper, OA5 to OA7
Library | FTE 1 | \$6,028 |

and to fund the \$7,888 appropriation as indicated above, said sum to be raised by general tax and included in the budgets of the departments affected.

2. By adding the following positions:

- | | | |
|--|-------|--|
| A. Sr. Crime Analyst & Communications Supervisor, ATP6
Community Safety | FTE1 | |
| B. Weatherization Program Coordinator, ATP7
Weatherization (Planning, Grant funded) | FTE 1 | |
| C. Residential Housing Specialist, ATP6
Weatherization (Planning, Grant funded) | FTE 1 | |

3. By deleting the following positions:

- | | |
|--|-------|
| A. Personnel Assistant – (Admin), OA5
Personnel Department | FTE 1 |
| B. Delete Head Communications Dispatcher, ATP5
Community Safety | FTE 1 |
| C. Assistant Director of Weatherization, ATP8
Weatherization (Planning) | FTE 1 |

**A true copy of the vote under
Article 50 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 51

AMEND PERSONNEL BY-LAW/VACATION TIME

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

That Paragraph E of Section 12 of Article 6 of the Town Bylaws be and hereby is amended by deleting the final period and adding the following:

“, provided that all carryover vacation shall be used by the following April 30th. Notwithstanding the previous sentence, all employees who have been granted carry over vacation days on December 31, 2009, shall be allowed to carry over two thirds of that amount on December 31, 2010, and one third of that amount on December 31, 2011. All vacation days carried over under the previous sentence shall be utilized by December 31, 2012, and the previous allowance shall cease to have effect on that date.”

So that the full paragraph will read:

Limits on Accumulation Vacation leave may not be accumulated from vacation year to another, except when in the opinion of the appointing authority, it is impossible or impractical to use because of work schedules or other emergencies to do otherwise. Requests for such carryover must be submitted to the appropriate appointing authority before the end of the calendar year in which the vacation leave was granted, provided that all carryover vacation shall be used by the following April 30th. Notwithstanding the previous sentence, all employees who have been granted carryover vacation days on December 31, 2009, shall be allowed to carry-over two thirds of that amount on December 31, 2010, and one third of that amount on December 31, 2011. All vacation days carried over under the previous sentence shall be utilized by December 31, 2012, and the previous allowance shall cease to have effect on that date

**A true copy of the vote under
Article 51 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 5, 2010.**

ATTEST:

Town Clerk

ARTICLE 52

APPROPRIATION/TOWN BUDGETS

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

The appropriations were voted, with individual sub-budgets being appropriated separately.

**A true copy of the vote under
Article 52 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session held
May 19, 2010.**

ATTEST:

Town Clerk

ARTICLE 53**CAPITAL BUDGET**

**VOTED: (STANDING VOTE – 155 IN THE AFFIRMATIVE AND 1 IN THE
NEGATIVE) (QUORUM PRESENT)**

(1) That the sum of \$7,974,393 be and hereby is appropriated for various capital projects and equipment as shown below, and expended under the direction of the Town Manager, said sum to be raised by general tax:

Item	Amount	Project	Department
1.	\$ 5,000	Photocopier lease	BOARD OF ASSESSORS
2.	\$ 3,000	Photocopier lease	BOARD OF SELECTMEN
3.	\$ 10,000	Vehicle Replacement- Chief	COMMUNITY SAFETY - FIRE SERVICES
4.	\$ 3,500	Laser Radar	COMMUNITY SAFETY - POLICE SERVICES
5.	\$ 15,500	Digital Recording Equip.- Interview Room	COMMUNITY SAFETY - POLICE SERVICES
6.	\$ 4,500	Photocopier	COMMUNITY SAFETY - POLICE SERVICES
7.	\$ 75,000	Vehicle Replacement Program	COMMUNITY SAFETY - POLICE SERVICES
8.	\$ 2,200	Photocopier Lease - Council on Aging	HEALTH & HUMAN SERVICES
9.	\$ 1,700	Photocopier Lease - Robbins House	HEALTH & HUMAN SERVICES
10.	\$ 3,500	Photocopier Lease - Board of Health	HEALTH & HUMAN SERVICES
11.	\$ 750	Photocopier	INFORMATION TECHNOLOGY
12.	\$ 25,000	Vehicle -Building/Plumbing/Wire Inspectors	INSPECTIONS
13.	\$ 3,000	Photocopier	LEGAL/WORKERS' COMPENSATION
14.	\$ 2,640	Photocopier	LIBRARY
15.	\$ 20,530	Smoke/Fire detection replacement	LIBRARY
16.	\$ 4,927	Exhaust fans	LIBRARY
17.	\$ 3,200	Photocopier	PERSONNEL
18.	\$ 4,000	Photocopier/Equipment	PLANNING
19.	\$ 16,000	Mall Lights	PUBLIC WORKS ADMINISTRATION
20.	\$ 4,000	Traffic Light Update Program	PUBLIC WORKS ADMINISTRATION
21.	\$ 2,500	Photocopier	PUBLIC WORKS ADMINISTRATION
22.	\$ 10,000	Snow Flow - (1 per yr.)	PUBLIC WORKS HIGHWAY DIVISION
23.	\$ 350,000	Roadway Reconstruction	PUBLIC WORKS HIGHWAY DIVISION
24.	\$ 125,000	Sidewalks and Curbstones	PUBLIC WORKS HIGHWAY DIVISION
25.	\$ 6,000	Small Equipment	PUBLIC WORKS NATURAL RESOURCES DIVISION
26.	\$ 45,000	Pickup	PUBLIC WORKS NATURAL RESOURCES DIVISION
27.	\$ 18,000	Buildings Rehab consultant Services	PUBLIC WORKS PROPERTIES DIVISION
28.	\$ 10,000	Feasibility Study	RECREATION
29.	\$ 5,000	Asbestos Abatement - Remove Tiles	SCHOOLS
30.	\$ 110,000	Photocopier Lease Program	SCHOOLS
31.	\$ 9,000	Low e Auditorium Rugs	SCHOOLS
32.	\$ 30,000	Custodial pickup w /plow	SCHOOLS
33.	\$ 3,000	Photocopier	TOWN MANAGER
34.	\$ 3,500	Photocopier	TREASURER
35.	<u>\$ 934,947</u>	<u>Acquisitions Sub-total</u>	
36.	\$ 8,434,418	Prior Debt Service	
37.	\$ 123,424	New Debt Service	
38.	\$ (627,721)	Less MVRA Loan Payments	
39.	\$ (376,375)	Less W/S Debt Appropriation	
40.	\$ (300,000)	Less Application of Antennae Funds	
41.	\$ (40,000)	Less Rink Enterprise Debt Allocation	
42.	\$ (125,000)	Less Capital Carry Forward	
43.	\$ (49,300)	Less Ambulance Revolving Fund	
	\$ 7,974,393		Grand Total

- (2) That the various capital projects and equipment purchases shown below shall be undertaken and financed by grants or other funds as shown below, such grants to be expended under the direction of the Town Manager.

Item	Amount	Project	Department
1.	\$25,000	Vehicle Replacement- Chief	COMMUNITY SAFETY - FIRE SERVICES
2.	\$5,000	Whittemore Robbins Cottage Roof Repairs	HEALTH & HUMAN SERVICES
6.	\$10,000	Stones/ Tombs -Clean,restore,repair	PUBLIC WORKS CEMETERY DIVISION
7.	\$500,000	Chapter 90 Roadway	PUBLIC WORKS HIGHWAY DIVISION
8.	\$5,000	Small Equipment	PUBLIC WORKS WATER/SEWER DIVISION
9.	\$850,000	Sewer System Rehabilitation	PUBLIC WORKS WATER/SEWER DIVISION
10.	\$1,300,000	Water System Rehabilitation	PUBLIC WORKS WATER/SEWER DIVISION
11.	\$50,000	Hydrant replacement program	PUBLIC WORKS WATER/SEWER DIVISION
12.	\$50,000	Lift Station upgrade	PUBLIC WORKS WATER/SEWER DIVISION
13.	\$40,000	Central Boiler Replacement	REDEVELOPMENT BOARD
14.	\$30,000	23 Maple Kitchen renovation	REDEVELOPMENT BOARD
15.	\$5,000	Jefferson Cutter Shutters	REDEVELOPMENT BOARD
\$2,870,000		Grand Total	

And that the sum of \$10,000 transferred from the Cemetery Funds be appropriated to reduce expenses under this section.

- (3) That the sum of \$2,360,728 be and hereby is appropriated for extraordinary repairs to public facilities, acquisition of land and the purchase and installation of equipment and for costs incidental and related thereto as follows:

Item	Amount	Project	DEPARTMENT	Statutory Citation, Chapter 44 Section(), or any enabling Authority
1.	\$ 75,000	Replace fire alarm system	COMMUNITY SAFETY - FIRE SERVICES	7(14)
2.	\$ 17,000	Building Repairs	COMMUNITY SAFETY - FIRE SERVICES	7(3A)
6.	\$ 27,500	Wall mounted AC/Heat Units	COMMUNITY SAFETY - POLICE SERVICES	7(3A)
7.	\$ 125,000	Educational IT Program	INFORMATION TECHNOLOGY	7(28&29)
8.	\$ 20,300	Library MLN Equipment	INFORMATION TECHNOLOGY	7(28&29)
9.	\$ 40,000	School Dept-Admin Micro Program	INFORMATION TECHNOLOGY	7(28&29)
10.	\$ 30,000	Software Upgrades & Standardization	INFORMATION TECHNOLOGY	7(28&29)
11.	\$ 60,000	Town-Microcomputer Program	INFORMATION TECHNOLOGY	7(28&29)
12.	\$ 4,200	Library -PC Vending Printing/Photocopier Project	INFORMATION TECHNOLOGY	7(28&29)
13.	\$ 13,000	GIS Implementation	INFORMATION TECHNOLOGY	7(28&29)
14.	\$ 90,000	School - Software Licensing	INFORMATION TECHNOLOGY	7(28&29)
15.	\$ 106,000	4WD Truck w/Sander	PUBLIC WORKS HIGHWAY DIVISION	7(9)
16.	\$ 62,000	1 Ton Dump Truck	PUBLIC WORKS PROPERTIES DIVISION	7(9)
17.	\$ 525,728	Wellington Park playground and tennis court	RECREATION	7(25)
18.	\$ 48,000	Parmenter Boiler replacement	REDEVELOPMENT BOARD	7(3A)
19.	\$ 45,000	Crosby gym roof Replacement	REDEVELOPMENT BOARD	7(3A)
20.	\$ 25,000	Parmenter Gutter/Roof/Downdspout/Chimney repairs	REDEVELOPMENT BOARD	7(3A)
21.	\$ 30,000	Crosby Steam pipe/ Floor replacement	REDEVELOPMENT BOARD	7(3A)
22.	\$ 15,000	Gibbs Mechanical/ Electrical/ Elevator	REDEVELOPMENT BOARD	7(3A)
23.	\$ 30,000	Gibbs Gymnasium Floor	REDEVELOPMENT BOARD	7(3A)
24.	\$ 25,000	Replace Fire Control Inst. Alarm Panels HS	SCHOOLS	7(14)
25.	\$ 120,000	Thompson School Improvements	SCHOOLS	7(3A)
26.	\$ 695,000	Stratton School Improvements	SCHOOLS	7(3A)
27.	\$ 20,000	High School - exterior painting	SCHOOLS	7(3A)
28.	\$ 6,000	High School -Replace ventilating rooftop units	SCHOOLS	7(3A)
29.	\$ 6,000	High School -Replace heating and ventilation units	SCHOOLS	7(3A)
30.	\$ 15,000	All Schools - gym floors	SCHOOLS	7(3A)
31.	\$ 85,000	Bus - 35 Passenger	SCHOOLS	7(9)
\$ 2,360,728		Grand Total		

And that the Treasurer, with the approval of the Board of Selectman, is hereby authorized to borrow not exceeding the sum of \$2,360,728 under and pursuant to the statutes cited above

(requires a 2/3 vote), and any other enabling authority, and to issue bonds or notes of the Town therefor, said sum to be expended under the direction of the Town Manager.

- (4) That the Town Manager is authorized and directed to apply for and accept any further federal, state or other grants that may be available for any one or more of the foregoing projects and equipment.
- (5) Notwithstanding the foregoing, in the event that monies are not expended for the purposes delineated above then the Comptroller is authorized and directed not to transfer these excess funds to available funds, but said funds shall remain and be accounted for in the warrant article pending further vote of the Town Meeting, except as otherwise provided by law, and,
- (6) That any amounts appropriated under Section (3) above for a particular purpose under a specified section of Chapter 44 and not needed for such purpose may be expended by the Town Manager, with the approval of the Capital Planning Committee, for any other purpose listed in Section (3) above under the same section of Chapter 44.

A true copy of the vote under
Article 53 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 10, 2010.

ATTEST:

Town Clerk

ARTICLE 54

**RESCIND BORROWING AUTHORIZATIONS
FROM PRIOR YEARS**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

**That the Town rescind the authority to borrow previously authorized un-issued debt,
comprised of amounts voted by the Town under the following warrant articles:**

<u>Amount Rescinded</u>	<u>Warrant Article and Town Meeting</u>	<u>Purpose</u>
\$ 734	Article 54, 2008 Annual Town Meeting	Capital Plan
\$ 800	Article 42, 2009 Annual Town Meeting	Capital Plan
\$ 10,000,000	Article 6, 2009 Special Town Meeting	Capital Budget/ Fire Stations

**A true copy of the vote under
Article 54 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 10, 2010.**

ATTEST:

Town Clerk

ARTICLE 55

**APPROPRIATION/FINANCING OF CONSTRUCTION OR
RECONSTRUCTION OF SEWERS AND SEWERAGE FACILITIES**

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN
85 TOWN MEETING MEMBERS PRESENT AND VOTING)**

That the sum of \$357,500 to be used with a grant of \$292,500 be and hereby is appropriated for the purpose of financing the construction or reconstruction of sewers and sewerage facilities, inflow/infiltration reduction or system rehabilitation, including costs incidental and related thereto; that to raise this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$357,500 under and pursuant to Chapter 44, Section 7, of the General Laws, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore; and that the Board of Selectmen and the Town Manager be and hereby are authorized to enter into any agreements they determine to be necessary in connection with the project and its financing and are further authorized to accept and expend in addition to the foregoing appropriation any grants that may be come available from the Massachusetts Water Resources Authority or other sources.

**A true copy of the vote under
Article 55 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 24, 2010.**

ATTEST:

Town Clerk

ARTICLE 56

**APPROPRIATION/FINANCING OF CONSTRUCTION OR
RECONSTRUCTION OF WATER MAINS AND WATER FACILITIES**

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN
85 TOWN MEETING MEMBERS AND PRESENT)**

That the sum of \$1,300,000 be and hereby is appropriated for the purpose of financing the construction or reconstruction of water mains and water facilities, including costs incidental and related thereto; that to raise this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$1,300,000 under and pursuant to Chapter 44, Section 8, of the General Laws, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore; and that the Board of Selectmen and the Town Manager be and hereby are authorized to enter into any agreements they determine to be necessary in connection with the project and its financing and are further authorized to accept and expend in addition to the foregoing appropriation any grants that may become available from the Massachusetts Water Resources Authority or other sources.

**A true copy of the vote under
Article 56 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 24, 2010.**

ATTEST:

Town Clerk

ARTICLE 57

**APPROPRIATION/MINUTEMAN REGIONAL
VOCATIONAL TECHNICAL HIGH SCHOOL**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$2,739,795 hereby is appropriated for the purpose of paying the Town's apportioned share of the operating and maintenance costs, including capital costs, of the Minuteman Regional Vocational Technical High School District Budget; said sum to be raised by general tax and expended under the direction of the Minuteman Regional Vocational Technical High School Committee.

**A true copy of the vote under
Article 57 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 24, 2010.**

ATTEST:

Town Clerk

**ARTICLE 58 MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL -
BOND AUTHORIZATION FOR FEASIBILITY STUDY**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the Town hereby approves the debt authorized by the Minuteman Regional School District School Committee on March 30, 2010 for the purpose of conducting a feasibility study. This approval is made with the understanding that Minuteman Regional School District will comply with the following conditions as put forth in the letter from its Superintendent.

- 1. The Superintendent agrees to perform an enrollment study as the first phase of the feasibility study.**
- 2. The letter must include a timetable for the enrollment study. It is recommended that both the enrollment study and Regional Agreement Task Force report be completed in time for review by the member towns by March 1, 2011.**
- 3. The letter must state agreement that the enrollment study include the issue of whether the school is viable with the current and future district enrollments.**
- 4. The enrollment study must be accompanied by a strategic plan that outlines the steps the District will take either to increase enrollment; bring school size, programs and costs in line with enrollment; or merge with another district so that per pupil costs are in line with the State average for vocational schools.**
- 5. The Superintendent agrees that each of the five largest member towns, by district enrollment, have a seat on the building committee, with the representatives chosen by the towns.**
- 6. Before phase two starts, the Regional Agreement Task Force's (RATF) work and recommendations must be complete. The RATF's recommendations should strongly consider the following changes to the regional agreement:**
 - a) That each School Committee Member's vote reflects their town's proportion of the total student enrollment or at least is modified to take into account that proportion.**
 - b) Towns can exit the agreement upon 5 years notice.**
 - c) Towns leaving the District will be responsible for bond obligations and have some residual contribution obligation for a period of time.**
 - d) Out of district students should pay (combination of municipality and state payments) at least a certain percentage of in-district tuition.**

7. The Superintendent agrees not to expend funds on the second phase of the feasibility study (architect, project manager, etc.) unless all 16 member towns approve, or not disapprove, of the enrollment and RATF's conclusions.

**A true copy of the vote under
Article 58 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 24, 2010.**

ATTEST:

Town Clerk

ARTICLE 59

APPROPRIATION/COMMITTEES AND COMMISSIONS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$17,760 be and hereby is appropriated to be expended by the following commissions, committees, and boards in the amounts indicated:

A. Arlington Historical Commission – \$2,160

B. Historic District Commissions – \$5,100

(Avon Place Historic District Commission, Broadway Historic District Commission, Central Street Historic District commission, Jason/Gray Historic District Commission, Russell Historic District Commission, Pleasant Street Historic District Commission and Mount Gilboa/Crescent Hill Historic District Commission)

C. Capital Planning Committee – \$0

D. Commission on Disability – \$3,000

E. Recycling Committee – \$3,000

F. Human Rights Commission – \$4,500

Said sums to be raised by general tax and expended under the direction of the various commissions, committees and boards.

**A true copy of the vote under
Article 59 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 60

APPROPRIATION/TOWN CELEBRATIONS, ETC.

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

The sum of \$10,667 be and hereby is appropriated for the following celebrations and memorials in the amounts indicated:

- A. Veterans' Day Parade, Memorial Day Observation and the Patriots' Day Celebration. - \$5,667**
- B. 2009 Town Day Celebration - \$0**
- C. Display of American Flags on Massachusetts Avenue - \$0**
- D. Placing of American Flags on the Graves of Veterans - \$5,000**

Said sum to be raised by general tax and expended under the direction of the Town Manager.

A true copy of the vote under Article 60 of the Warrant for the Annual Town Meeting of the Town of Arlington at the session held May 26, 2010.

ATTEST:

Town Clerk

ARTICLE 61

APPROPRIATION/MISCELLANEOUS

VOTED: (QUORUM PRESENT)

The sum of \$16,337 be and hereby is appropriated for the following purposes:

- A. Legal Defense - To appropriate a sum of money to replenish the Legal Defense Fund established under Article 13 of Title I of the Town By-Laws - \$0**
- B. Out-Of-State Travel - To appropriate a sum of money for expenses incurred outside the Commonwealth and as described in the General Laws, Chapter 40, Section 5, Paragraph 34, said appropriation to be expended under the direction of the Board of Selectmen and the Town Manager - \$3,000**
- C. Indemnification of Medical Costs – \$13,337**

(To indemnify certain retired Police Officers and Firefighters for all reasonable medical and surgical expenses which they incurred during 2009 that are the proximate result of the disability for which they were retired; and to defray the expenses of the Medical Panel required by law; provided, incurred expenses shall be considered for indemnification thereunder except only those such as are excess over covered benefits of any plan of Hospital, Surgical or other coverage which the retiree has or had available to him, either directly or through a member of his immediate family, which benefits shall be considered primary, and which must be disclosed by such plan, or by the physician, hospital or other medical personnel or facility with or without the consent of the retiree.)

Said sums to be raised by general tax and expended under the direction of the Town Manager.

**A true copy of the vote under
Article 61 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 62

SCHOLARSHIP FUND EXPENSES

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 62 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 63

**APPROPRIATION/PENSION ADJUSTMENT FOR FORMER
TWENTY-FIVE YEAR/ACCIDENTAL DISABILITY EMPLOYEES**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$0 be and hereby is appropriated to implement the provisions of Chapter 32 of Massachusetts General Laws Section 90A, 90C, 90D and 90E, pursuant to which the Town pays up to fifty percent of the maximum salary as set forth in the Compensation and Pay Plan for the position formerly held by retired employees with twenty-five or more years of service to the Town and those employees who retired under an Accidental Disability; provided, however, that no one who retires after May 1, 2010 shall be eligible under this vote unless they qualify for at least a fifty percent pension, without this vote, upon their retirement. This adjustment to be paid to those who qualify, and administered in accordance with prior practice and understanding relating to the retirement allowance of said retirees; said sum to be expended under the direction of the Retirement Board.

**A true copy of the vote under
Article 63 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 64

**APPROPRIATION/TAKINGS - SAFE ROUTES TO SCHOOL -
DALLIN SCHOOL AREA SIDEWALKS**

**VOTED: (UNANIMOUSLY) (STANDING VOTE – 140 IN THE AFFIRMATIVE
AND 0 IN THE NEGATIVE)**

That the Board of Selectmen be and hereby is authorized to acquire by eminent domain, purchase, or otherwise certain interests in the certain parcels of land in conformance with final plans as approved by the Massachusetts Department of Transportation Highway Division and substantially as set forth in the attached Appendix G of the Report of the Finance Committee to Annual Town Meeting, Monday, April 26, 2010 for the placement of sidewalks as part of the Safe Routes to School program and that the sum of \$1500 be and hereby is appropriated for the purpose of funding said acquisitions, said sum to be raised by general tax and expended under the authority of the Town Manager.

**A true copy of the vote under
Article 64 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 65

**APPROPRIATION/TO CONTINUE THE COUNCIL
ON AGING'S HARRY BARBER COMMUNITY
SERVICE PROGRAM**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 65 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 66

**APPROPRIATION/ANNUAL SHARE OF MINUTEMAN
SENIOR SERVICES**

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 66 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 67 APPROPRIATION/SOCIAL WORKER II

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$18,179 be used to fund a new position for the Council on Aging: “Social Worker II,” a BSW-level position, said sum to be raised by taxes and expended under the direction of the Town Manager.

**A true copy of the vote under
Article 67 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 68

APPROPRIATION/TRANSFER TRAFFIC SUPERVISORS

VOTED: (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 68 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 69

APPROPRIATION/ARLINGTON'S WATER BODIES FUND

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

That the sum of \$15,000 be and hereby is appropriated to the Water Bodies Fund for the purpose of maintaining, treating and oversight of the Town's Water bodies. Said sum to be raised by the general taxes and expended under the direction of the Town Manager.

**A true copy of the vote under
Article 69 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 70

**APPROPRIATION/UNCLE SAM/
MARKET STUDY AND PROMOTION**

**VOTED: (STANDING VOTE – 75 IN THE AFFIRMATIVE AND 45 IN THE
NEGATIVE)**

To see if the Town will vote to appropriate \$500.00 to replenish the Uncle Sam Committee revolving fund, allowing it to prepare initial designs and prototypes for promotion of Uncle Sam and the Town of Arlington as “**Home of the *Real* Uncle Sam**” in cooperation with the MAPC Scenic Byway Battle Road project. This includes basic logos for tourist items, signage, sports equipment, bumper stickers, decals and collectibles for sale as well as promotional items for tourists, citizens, and visitors to the Arlington and MAPC Battle Road Scenic Byway.

**A true copy of the vote under
Article 70 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 71

APPROPRIATION/RESTORATION OF TREES

VOTED: (AFFIRMATIVE) (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 71 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 72

LOCAL OPTION TAXES

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

No Action.

**A true copy of the vote under
Article 72 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 73

**APPROPRIATION/OTHER POST EMPLOYMENT
BENEFITS (OPEB)TRUST FUND**

VOTED: (QUORUM PRESENT)

That the Town takes the following actions:

- (a) appropriates into said Other Post-Employment Benefits Fund (OPEB), authorized by Chapter 161 of the Acts of 2005, the sum of \$343,313 representing that amount of money that is the difference between the previously established base amount of \$500,000 and the fiscal 2011 appropriation for the non-contributory pension obligation; said sum to be raised by the general tax;**
- (b) appropriates into said fund the sum of \$155,000 representing the increased share of retiree HMO contributions as voted by the Board of Selectmen on November 6, 2006; said sum to be raised by the general tax.**

**A true copy of the vote under
Article 73 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 74

APPROPRIATION/TIP FEE STABILIZATION FUND

**VOTED: (STANDING VOTE – 127 IN THE AFFIRMATIVE AND 1 IN THE
NEGATIVE) (QUOOURM PRESENT)**

**That the sum of \$680,000 be and hereby is appropriated and transferred from the
Arlington Tip Fee Stabilization Fund established under Chapter 8 of the Acts of 1998 to the
Sanitation Budget 16d Rubbish Disposal/Recycling, said sum to be expended under the
direction of the Town Manager.**

**A true copy of the vote under
Article 74 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 75

TRANSFER OF FUNDS/CEMETERY

VOTED: (QUORUM PRESENT)

That the Town transfer \$10,000 to the capital budget said sum shall be taken from the Mt. Pleasant Cemetery "Sale of Lots and Graves Fund" and \$150,000 to the Cemetery Commissioners for the care of Town cemeteries, said sum shall be taken from the "Perpetual Care Fund."

**A true copy of the vote under
Article 75 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 76

APPROPRIATION/OVERLAY RESERVE

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That the sum of \$500,000 be and hereby is appropriated, to be transferred from Overlay Reserve Surplus Accounts of previous fiscal years, said sum to be utilized in the determination of the tax rate.

**A true copy of the vote under
Article 76 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 77

APPROPRIATION/STABILIZATION FUND

**VOTED: (STANDING VOTE – 127 IN THE AFFIRMATIVE AND 1 IN THE
NEGATIVE) (QUORUM PRESENT)**

That the sum of \$1,580,000 be appropriated from the Fiscal Stability Stabilization Fund created after the 2005 tax override vote, and that the Board of Assessors is instructed to use said amount in the determination of the tax rate,

and the Treasurer is authorized to transfer any remaining balances in this fund after the transfer authorized above to the long-term stabilization fund

**A true copy of the vote under
Article 77 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 78

USE OF FREE CASH

VOTED: (QUORUM PRESENT)

That the sum of \$582,051 be taken from available funds in the treasury, and that the Board of Assessors is instructed to use said amount in the determination of the tax rate.

**A true copy of the vote under
Article 78 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held May 26, 2010.**

ATTEST:

Town Clerk

ARTICLE 1**REPORTS OF BOARDS AND COMMITTEES**

To receive, hear and act upon the reports of boards and committees; or take any action related thereto.

(Inserted by the Board of Selectmen)

VOTED:

ARTICLE 2 ZONING BYLAW AMENDMENT/FEMA FLOODMAP ADOPTION

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That section 11.04 (“Floodplain District”) of Article 11 of the Zoning Bylaw of the Town of Arlington be and hereby is amended by

- **In Section b, “DEFINITION,” by deleting from the next-to-last sentence the following language, “by the flood elevations indicated on the Flood Plain Overlay Map”; by deleting the last sentence in its entirety; and by replacing all deleted language with the following language:**

on the Middlesex County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District may be defined by the 100-year floodplain shown on the Middlesex County FIRMs (panel numbers 25017C0412E, 25017C0416E, 25017C0417E, 25017C0418E, and 25017C0419E), dated June 4, 2010, and further defined by the Middlesex County Flood Insurance Report (FIS), dated June 4, 2010. The FIRMs and FIS Report are incorporated herein by reference and are on file with the Town Clerk, Arlington Redevelopment Board, Director of Inspections, and Conservation Commission.

- **In Section c, “INTERPRETATION AND APPLICATION,” by adding in the first sentence after “Section 11.04” the following language, “Section 11.05 (Inland Wetland District), G.L. c. 131, § 40,”; by adding after “Wetlands Protection Regulations” the following language, “of the Town Bylaws (Title V, Article 8”); by deleting the comma after “(DEP)”;** by adding before “Massachusetts State Building Code” the following language, “section of the”; by adding after “Massachusetts State Building Code” the following language, “that addresses floodplain and coastal high hazard areas (currently 780 CMR 120.G, ‘Flood Resistant Construction and Construction in Coastal Dunes’);” and by adding after “Section 3.05” in the last sentence the following language, “(g).”
- **In Section d, “PERMITTED USES,” Paragraph 1. “As a Right,” by adding in Subsection (a) after the word “also,” the following language “wildlife management areas.”**

- In Section d, “PERMITTED USES,” Subsection 2.1, by deleting the following language “more than one (1) inch at any point.”
- In Section d, “PERMITTED USES,” Subsection 2.2, by adding to the end of the subsection the following language “and in the Conservation Commission’s Wetlands Regulations promulgated under the Arlington Wetlands Bylaw (Title V, Article 8).”
- By adding to Section d “PERMITTED USES,” the following new Subsections 2.4 and 2.5:

2.4 In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2.5 In Zones AE along watercourses in the Town of Arlington that have a regulatory floodway designated on the Middlesex County FIRMs, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

- In Section e, “PERMIT AND PROCEDURE,” in the second sentence by replacing “Quality Engineering” with “Protection”; and by replacing “Massachusetts Department of Public Works” with “Massachusetts Highway Department”; and in the fourth sentence, after the words “shall also be sent,” by adding the following language, “at the same time by the applicant.”
- In Section g, “BOARD OF APPEALS PROCEDURE,” Paragraph 1 by replacing the word “plan” with the words “application and plans.”
- In Section h, “OCCUPANCY PERMIT,” by adding “ZBA” after “Conservation Commission.”
- By adding a new Section k, “NOTIFICATION OF ALTERATION,” as follows:

In a riverine situation, the Director of Planning and Community Development shall notify the following of any alteration or relocation of a watercourse:
 - Chief Executive Officers in Adjacent Communities
 - NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104

- **NFIP Program Specialist**
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

**A true copy of the vote under
Article 2 of the Warrant for the
Special Town Meeting of the
Town of Arlington at the session
held May 10, 2010.**

ATTEST:

Town Clerk

ARTICLE 3

APPROPRIATION/TOWN BUDGETS AND TRANSFERS

VOTED: (UNANIMOUSLY) (QUORUM PRESENT)

That no action be taken under this article.

**A true copy of the vote under
Article 3 of the Warrant for the
Special Town Meeting of the
Town of Arlington at the session
held May 10, 2010.**

ATTEST:

Town Clerk

ARTICLE 4

CAPITAL BUDGET/FIRE STATIONS

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN
85 TOWN MEETING MEMBERS PRESENT AND VOTING)**

That the sum of \$1,250,000 be and hereby is appropriated for the purpose of renovating the Central Fire Station and that the sum of \$3,270,000 be and hereby is appropriated for the purpose of renovating the Highland Fire Station, including design, original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair; that to raise this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$4,520,000 under and pursuant to Chapter 44, of the General Laws, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore; and that the Board of Selectmen and the Town Manager be and hereby are authorized to enter into any agreements they determine to be necessary in connection with the project and its financing and are further authorized to accept grants that may become available.

**A true copy of the vote under
Article 4 of the Warrant for the
Special Town Meeting of the
Town of Arlington at the session
held May 10, 2010.**

ATTEST:

Town Clerk

ARTICLE 5

CAPITAL BUDGET/COMMUNITY SAFETY BUILDING

**VOTED: (UNANIMOUSLY) (QUORUM PRESENT – MORE THAN
85 TOWN MEETING MEMBERS PRESENT AND VOTING)**

That the sum of \$235,000 be and hereby is appropriated for the purpose of repairs and renovations to the Police Station, including design, original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair; that to raise this appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow \$235,000 under and pursuant to Chapter 44, of the General Laws, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore; and that the Board of Selectmen and the Town Manager be and hereby are authorized to enter into any agreements they determine to be necessary in connection with the project and its financing and are further authorized to accept grants that may become available.

**A true copy of the vote under
Article 5 of the Warrant for the
Special Town Meeting of the
Town of Arlington at the session
held May 10, 2010.**

ATTEST:

Town Clerk

RESOLUTION

- WHEREAS:** Racism hurts everyone and has had a profound effect on children and adults, our communities, and our institutions; and
- WHEREAS:** The history of the United States contains examples of events that have shaped current attitudes and actions supported by the power of law, institutional structures, and culture; and
- WHEREAS:** Examples include events such as the enslavement of Africans, the dispossession of Native American and Mexican from their lands, the exclusion of Asians from immigration and citizenship; and
- WHEREAS:** Race and the legacy of discrimination continue to affect our lives, whether in our everyday interactions with others at work, school, or in our neighborhoods and communities; and
- WHEREAS:** Racism can take many different forms, including, but not limited, discrimination; personal attacks of any kind, including violence; written or verbal threats or insults; or damage to property, including graffiti; and
- WHEREAS:** Our views and beliefs develop as we grow up; if a child or young person grows up within a family that engages in racist acts, or has friends who display racist behavior, they may believe that racism is normal and acceptable; and
- WHEREAS:** In 2009, more than 300 organizations participated in the STAND AGAINST RACISM movement, initiated by YWCA, in New Jersey, New York, and Connecticut; and
- WHEREAS:** The STAND AGAINST RACISM movement is being launched nationwide in 2010 with a projected 2,000 participating sites; and
- WHEREAS:** The Town of Arlington has formed a STAND AGAINST RACISM site to participate in this movement; and
- WHEREAS:** The Town of Arlington STAND AGAINST RACISM site has planned appropriate events, including a film being shown Friday evening, April 30, in the Arlington High School Auditorium, a Community Rally Saturday, May 1, from 11:00 a.m. to 1:00 p.m., and a Community Conversation about Race Sunday evening, May 2, at First Parish Unitarian Universalist Church Community Room; and

WHEREAS: Various organizations in and near Arlington, including the Arlington Human Rights Commission, Arlington's METCO Program, MLK Jr. Celebration Committee, Temple Shir Tikvah Winchester, Park Avenue Congregational Church, Vision 2020 Standing Committee and Diversity Task Group, Cavalry United Methodist Church, the Arlington Democratic Town Committee, and Temple Isaiah Lexington, are co-sponsoring Arlington's STAND AGAINST RACISM events.

NOW, THEREFORE, BE IT RESOLVED that the Arlington Town Meeting endorses and supports the STAND AGAINST RACISM movement and Arlington's STAND AGAINST RACISM events, and encourages all residents of Arlington and communities nearby to attend these events, and to sign a Pledge Against Racism stating "As an individual committed to social justice, I STAND AGAINST RACISM and discrimination of any kind. I commit to a lifetime of promoting peace, justice, freedom, and dignity for all people in my community and in the World.

A true copy of the vote on the Resolution
offered at the 2010 Annual Town Meeting
of the Town of Arlington by Richard E. Smith,
Town Meeting Member, Precinct 17, at the
session held on April 26, 2010.

ATTEST:

Town Clerk

RESOLUTION

WHEREAS: Margaret S. Nicholl, a former member of this Town Meeting died on April 22, 2010, and

WHEREAS: Mrs. Nicholl served in Town Meeting for 17 years, and served the Town Meeting not only as a representative from Precinct 8, but on the Town Government Study Committee and the Town Meeting Procedures Committee, and

WHEREAS: Mrs. Nicholl also served on the Selectmen's Transportation Advisory Committee, the Board of Public Welfare, and the Town Government Task Force of the Citizens' Involvement Committee, and

WHEREAS: Mrs. Nicholl was active and took a leadership role in many local civic and charitable organizations,

NOW THEREFORE BE IT RESOLVED: That the Town Meeting expresses its gratitude and appreciation for Mrs. Nicholl's long record of devoted service to the political and civic life of the Town of Arlington, and

That a copy of this resolution be spread upon the records of the Meeting, and

That a copy thereof be transmitted to members of Mrs. Nicholl's family.

A true copy of the vote on the Resolution
offered at the 2010 Annual Town Meeting
of the Town of Arlington by John L. Worden, III,
Town Meeting Member, Precinct 8, at the
session held on May 3, 2010.

ATTEST:

Town Clerk